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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN JOSE DIVISION**
18

19 FRANCESCO CORALLO

20 Plaintiff,

21 v.

22 NSO GROUP TECHNOLOGIES LIMITED,
23 Q CYBER TECHNOLOGIES LIMITED, and
24 APPLE INC.

25 Defendants.

Case No. 3:22-cv-05229-RS

**DECLARATION OF JOSHUA A.
VITTOR IN SUPPORT OF
DEFENDANT APPLE INC.'S
MOTION TO DISMISS COMPLAINT**

DATE: December 15, 2022

TIME: 1:30 pm

DEPT.: Courtroom 3 - 17th Floor

JUDGE: Hon. Richard Seeborg

1 I, Joshua A. Vittor, hereby declare as follows:

2 1. I am an attorney with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP,
3 located at 350 South Grand Avenue, Suite 2400, Los Angeles, California, 90071. I am licensed to
4 practice law in the State of California and am counsel of record in this litigation for Defendant Apple
5 Inc. (“Apple”). I have personal knowledge of the facts set forth herein and with the proceedings in
6 this case, and if called to testify as a witness thereto, I would do so competently under oath.

7 2. Attached as Exhibit A is a true and correct copy of the complaint in *Apple Inc. v. NSO*
8 *Grp. Techs. Ltd. et al.*, Case No. 21-cv-9078-ED (N.D. Cal.), ECF No. 1.

9 3. Attached as Exhibit B is a true and correct copy of Apple’s Apple Media Services
10 Terms and Conditions (last revised May 13, 2019). This document is publicly available at
11 [https://web.archive.org/web/20190514051751mp_/https://www.apple.com/legal/internet-](https://web.archive.org/web/20190514051751mp_/https://www.apple.com/legal/internet-services/itunes/us/terms.html)
12 [services/itunes/us/terms.html](https://web.archive.org/web/20190514051751mp_/https://www.apple.com/legal/internet-services/itunes/us/terms.html).

13 4. Attached as Exhibit C is a true and correct copy of Apple Inc.’s iCloud Terms and
14 Conditions (last revised September 19, 2019). This document is publicly available at
15 [https://web.archive.org/web/20191011155610mp_/https://www.apple.com/legal/internet-](https://web.archive.org/web/20191011155610mp_/https://www.apple.com/legal/internet-services/icloud/en/terms.html)
16 [services/icloud/en/terms.html](https://web.archive.org/web/20191011155610mp_/https://www.apple.com/legal/internet-services/icloud/en/terms.html).

17 5. Attached as Exhibit D is a true and correct copy of Apple Inc.’s iPhone User Guide.
18 *See* Complaint, ECF No. 1 ¶ 47 (citing iPhone User Guide). This document is publicly available at
19 [https://support.apple.com/guide/iphone/use-built-in-security-and-privacy-protections-](https://support.apple.com/guide/iphone/use-built-in-security-and-privacy-protections-iph6e7d349d1/ios)
20 [iph6e7d349d1/ios](https://support.apple.com/guide/iphone/use-built-in-security-and-privacy-protections-iph6e7d349d1/ios).

21 6. Attached as Exhibit E is a true and correct copy of Apple’s iCloud Security Overview.
22 *See* Complaint, ECF No. 1 ¶ 47 (citing iCloud Security Overview). This document is publicly
23 available at <https://support.apple.com/en-us/HT202303>.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 Executed in Los Angeles, California on November 4, 2022.

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5 /s/ Joshua A. Vittor

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ATTESTATION

I, Sonal N. Mehta, attest that the signatory listed above concurs in this filing's content and has authorized me to make this filing.

Dated: November 4, 2022.

/s/ Sonal N. Mehta

Sonal N. Mehta